

INTERGOVERNMENTAL AGREEMENT

BETWEEN

THE STATE OF ARIZONA
AND
THE CITY OF FLAGSTAFF

AGREEMENT NO. _____

THIS AGREEMENT, entered into this 20th day of June 1977, pursuant to Arizona Revised Statutes, Section 11-951 through 11-954, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the CITY OF FLAGSTAFF, a municipal corporation, hereinafter called "CITY".

WHEREAS, the STATE is empowered by Arizona Revised Statutes Section 28-108 to enter into this Agreement, and

WHEREAS, the CITY is empowered by Arizona Revised Statutes Section 9-672 to enter into this Agreement, and

WHEREAS, it is to the mutual benefit of the STATE OF ARIZONA and the CITY OF FLAGSTAFF to enter into an agreement covering the improvement of the existing drainage system at Fanning Drive and Santa Fe Avenue on US 66.

NOW THEREFORE, in consideration of the mutual covenants herein-after to be kept by all parties, it is mutually agreed as follows:

1. That the CITY OF FLAGSTAFF shall design and furnish plans for approval by the Department of Transportation. They shall also furnish all labor, material, equipment and inspection for installation of the improvement.
2. That the STATE OF ARIZONA, acting by and through its Department of Transportation, shall, after completion of the work, reimburse the CITY OF FLAGSTAFF for the cost of construction done within the right-of-way of Highway 66, estimated at \$65,418, for its share of the cost of this work.
3. Any damage arising from the carrying out in any respect of the work embraced in this agreement or any modification thereof, shall be solely the liability of the CITY; that the CITY agrees to save and hold harmless the STATE, any of its departments, agencies, officers or employees from all cost and damage incurred by any of the above and from any other damage to any person or property whatsoever, which is caused by any activity,

condition, or event arising out of the performance or non-performance of any provision of this agreement by the CITY, and of its agents or any of its independent contractors.

4. This agreement shall remain in force until the work herein embraced has been completed in accordance with the terms of the agreement.

5. This contractual agreement shall be filed with the Secretary of State and shall not become effective until at least ten (10) days after the date of such filing.

6. Authenticated copies of the resolutions of the STATE and the CITY authorizing both entities to enter into such an agreement are attached.

IN WITNESS WHEREOF, the parties have executed this agreement, the day and year first written above.

ATTEST:

CITY OF FLAGSTAFF, a
Municipal Corporation

Linda Butler

By: Robert L. Moody

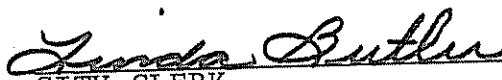
STATE OF ARIZONA, Acting by and
through its Department of
Transportation

By: JB Mert
Chief Deputy State Engineer

CERTIFICATION

I, LINDA BUTLER, City Clerk of the City of Flagstaff, Arizona, do hereby certify that the attached is a full, true, and correct copy of an extract of the Minutes of the Flagstaff City Council meeting, held March 15, 1977.

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the Official Seal of the City of Flagstaff this 25th day of April, 1977.


CITY CLERK

(SEAL)

RESOLUTION

Be it resolved on this date June 17, 1977 I, W. A. ORDWAY, the below undersigned Director, Department of Transportation, have determined that it is to be to the advantage of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, and the City of Flagstaff, enter into the intergovernmental agreement for the purpose of improving the existing drainage system at Fanning Drive and Santa Fe Avenue on US 66.

A handwritten signature in dark ink, appearing to read 'W. A. Ordway', is written over a horizontal line.

W. A. ORDWAY, Director
Arizona Department of Transportation

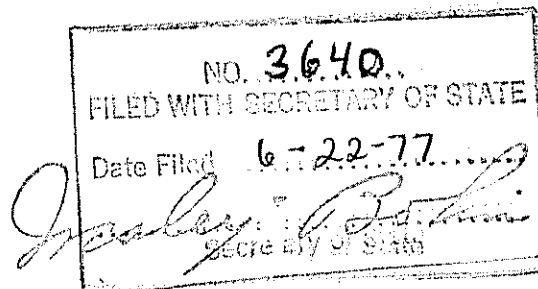
ATTORNEY GENERAL
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. 77-228 which is an agreement between public agencies has been reviewed pursuant to A.R.S. § 11-952 by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

DATED this 2nd day of May, 19 77.

BRUCE E. BABBITT
The Attorney General


ALBERT MORGAN
Assistant Attorney General



CITY OF FLAGSTAFF

MINUTES 3/15/77

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Councilman Holst requested the breakdown record for "Big Red" for the past twelve months.

Councilman Hughes received several requests that the Safety Commission look into the traffic situation around East Flagstaff Junior High. There is something wrong with the signing, and the signs don't show up unless you are looking for them. He asked that the Safety Commission take a look at this.

Councilman Hughes complimented the staff on the Items Pending Report. He requested that the Transit Feasibility Study and the Subdivision Regulations be on the next Agenda.

The City Manager presented an intergovernmental agreement between the City of Flagstaff and the State for the Fanning Drive drainage project. This agreement would provide the amount of money the State would put in the project for getting the water to the other side of the highway. A motion was made by Mayor Moody and seconded by Councilman Hughes that the Mayor be authorized to execute this agreement. The motion unanimously carried.

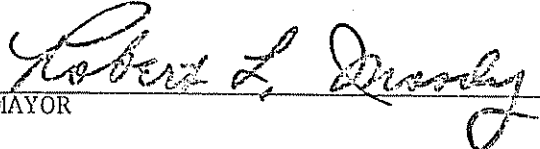
The City Manager presented three different programs eligible for anti-recession funds. He suggested that the animal control program be authorized for expenditure of anti-recession funds in the amount of \$3,895.09 for three dog catchers and some material to build a box. It was moved by Mayor Moody and seconded by Councilman Hughes that the animal control program be authorized for expenditure of anti-recession funds. The motion unanimously carried. The other two items will be discussed at a later meeting.

The City Manager announced that a budget meeting had been set up for Saturday, March 26, to discuss salaries, slots and programs.

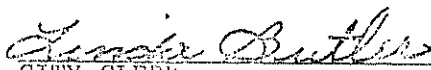
The City Manager asked the Council to set a work session in the near future to meet with Arizona Engineering Company and to meet with the State Land Department personnel to talk about the Woody Mountain Landfill Report. The Council set Monday, March 21, at 4:00 P.M. as the date and time for the work session.

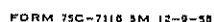
Adjournment:

There being no further business to come before the Council, the meeting was adjourned.


MAYOR

ATTEST:


CITY CLERK



FORM NO 75C

Sheet 1 of 1 Sheets

DETAIL ESTIMATE

Project No. _____

AFE _____ Item No _____

ARIZONA HIGHWAY DEPARTMENT

Name of Highway Flagstaff Streets (Fanning Drive

Date _____

County of Coconino (Drainage System)

Net Length_____Ft. = _____Miles

Prepared By L.S.

Gross Length _____ Ft. = _____ Miles

[illegible]